

SECTION 732 – LEAD-BASED PAINT REMOVAL

732.01 -- Description

1. This work consists of the removal of lead-based painted structural steel members which may involve the cutting of the members, and the collection, site storage, and disposal of all paint debris waste generated during the process of removal of the existing structure. This work shall be done in accordance with this specification and the method statement as approved by the Engineer. The collected paint debris waste will be characterized as hazardous waste and is subject to hazardous waste regulations.

2. In performing this work, the Contractor shall protect the environment, persons, and adjacent property from damage in accordance with the Occupational Safety and Health Administration (OSHA) and Environmental Protection Agency (EPA) standards, and all applicable Federal, State, and local regulations.

3. Scrape samples of paint were taken from the existing structure and were analyzed for the presence of toxic metals. Analysis of the samples show that the existing paint contains the metals lead and/or chromium, and may also contain other toxic metals. The results of the analysis is shown in the plans.

4. Removal of paint containing hazardous metals at the levels indicated by this analysis could create worker exposure conditions above regulatory limits for health and safety requirements.

5. Any test results provided by the Department are for bidding purposes only. The Contractor is required to conduct its own monitoring at project startup, and adjust worker protection and work practices according to the results.

732.02 -- Material Requirements

All materials used must be in compliance with all applicable rules and regulations.

732.03 -- Construction Methods

1. The contractor shall submit a method statement detailing removal methods and methods for capturing and disposing of all collected waste material where paint is removed from the existing structural steel members. This method statement shall be prepared by a certified Industrial Hygienist (IH) holding valid certification from the American Board of Industrial Hygiene or other Qualified Person (QP). The definition of a competent or qualified person is one who by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated the ability to solve or resolve problems relating to the subject matter, the work, and the project.

2. The qualified person must be capable of identifying existing and predictable hazards in the surroundings, working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.

3. The qualified person shall have a thorough knowledge of all applicable OSHA, EPA, state and local regulations as they pertain to the protection of the environment and the safety and health of the workers. The basis for this person's qualifications shall be included in the method statement. The Contractor shall provide certification that the person is qualified according to the definition. The method statement shall cover production methods, worker protection and environmental protection and shall be specific to the methods chosen. The method statement shall include references to at least one previous plan, prepared by the CIH or QP, for cutting of painted structural steel members, lead based paint removal, collection, site storage, and disposal of waste generated.

4. The Contractor shall provide certification indicating that the procedures, protection and work described in the method statement are in accordance and comply with the OSHA and EPA standards and applicable federal, state and local regulations.

5. The method statement and the certifications shall be submitted to the Engineer as the Contractor's work plan for these operations.

6. Disposal of Hazardous Waste

a. The Contractor shall dispose of materials generated and collected during the work at a hazardous waste facility.

b. The waste materials shall be transported to a hazardous waste facility in accordance with the following requirements.

c. The Contractor shall make a written request to the Department to provide the EPA identification number required for transportation and disposal of the hazardous waste.

d. The Contractor shall designate in writing to the Engineer a permitted Treatment, Storage, and Disposal Facility (TSDF). This designation submittal shall include a letter of tentative commitment from the TSDF to accept and dispose of the project's waste. Disposal shall be only to a permitted TSDF which has obtained and currently holds an EPA TSDF identification number.

e. Prior to disposal of hazardous waste material, the Contractor shall begin the formal process of obtaining final disposal permits which may be required by the TSDF. The Contractor shall provide copies to the Engineer of all final documents pertaining to the disposal permit.

f. The Contractor shall obtain a Uniform Waste Manifest from the EPA or appropriate agency before transporting hazardous waste to the selected TSDF.

g. When material is being transported or readied for transport, the Contractor shall be responsible for properly labeling and marking all hazardous and waste containers in accordance with federal regulations 40 CFR 262 and 49 CFR 171-179. Wastes shall be shipped with a permitted transporter holding a current EPA transporter's identification number. It shall be the Contractor's responsibility to provide the required emergency response telephone number to the Engineer for the Uniform Hazardous Waste Manifest.

h. It shall be the contractor's responsibility to ensure that no waste leaves the site without a properly prepared Uniform Hazardous Waste Manifest. The contractor shall provide the manifest to the Project Manager, to sign prior to shipment, in accordance with 40 CFR 262. At the conclusion of each shipment, the contractor shall deliver to the engineer and appropriate agencies copies of the required pages from the Uniform Hazardous Waste Manifests in accordance with the instructions included on the manifest.

i. The Contractor shall maintain a file of all waste shipped. The Contractor shall immediately notify the Engineer if a hazardous waste shipment does not reach the TSDF within 48 hours after departure from the job site. The Contractor shall coordinate with the Engineer to assure that the signed original of each Uniform Hazardous Waste Manifest is received from the TSDF by the Engineer within 35 days of the date the waste was accepted by the initial transporter. If the signed form is not received in 10 additional days (45 calendar days total), the Contractor shall immediately prepare and submit an Exception Report to the EPA Region VII Administrator, 726 Minnesota Avenue, Kansas City, Kansas 66101. A copy of this report shall be provided to the Engineer.

732.04 -- Method of Measurement

No measurement required.

732.05 -- Basis of Payment

The work described in Section 732 shall not be measured and paid for directly, but shall be considered subsidiary to the items "Preparation of Bridge at Station _____," (see Subsection 704.05) and "Remove Structure at Station _____" (see Subsection 203.04). The transportation to and disposal at the selected TSDF shall be considered "Extra Work", and shall be paid for in accordance with Subsection 109.05.